

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 LUIS NUNO,
12 Plaintiff,
13 v.
14 TULARE COUNTY SHERIFF
15 DEPARTMENT, et al.,
16 Defendant.

Case No.: 1:22-cv-00647-BAK (BAM) (PC)

**ORDER DIRECTING PLAINTIFF TO
SUBMIT UPDATED INMATE TRUST
ACCOUNT STATEMENT**

30-DAY DEADLINE

18 Plaintiff is a pretrial detainee proceeding *pro se* in this civil rights action brought pursuant
19 to 42 U.S.C. § 1983.

20 Plaintiff filed a motion to proceed *in forma pauperis* (IFP) on May 31, 2022. (Doc. 2.)
21 The certified section of the application for IFP is signed by an authorized officer of the Tulare
22 County Sheriff's Department and dated November 18, 2021. (*Id.* at 2.) It reflects a balance of
23 \$1.23. (*Id.*) Additionally, the attached "Inmate Banking Entry" form provides information for the
24 period between May 9, 2021 and November 9, 2021, for Plaintiff's inmate account, reflecting a
25 balance of 0.05 as of September 20, 2021, and an average monthly balance of 0.01. (*Id.* at 3.) It is
26 signed by 'Kelly Rigby, Accountant II' and dated November 16, 2021. (*Id.*) Plaintiff's
27 handwritten note on this page states, in relevant part: "I requested an updated printout of my
28 banking entry and I was denied such." (*Id.*)

1 The Court cannot make a determination concerning Plaintiff's IFP application without
2 updated inmate trust account information. The information presently before the Court is outdated
3 and not relevant to Plaintiff's current status for purposes of an indigency determination. As a
4 result, Plaintiff will be directed to provide the Court with updated inmate trust account
5 documentation for the six-month period preceding the filing of his complaint, i.e., information for
6 the period between approximately December 1, 2021 and May 31, 2022.

7 Accordingly, **IT IS ORDERED** that Plaintiff submit updated inmate trust account
8 information to this Court within 30 days from the date of service of this order. **Plaintiff is**
9 **advised that a failure to obey court orders may result in a recommendation that this action**
10 **be dismissed.**

IT IS SO ORDERED.

13 || Dated: June 3, 2022

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE